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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER				
ALBERTALLI, BRIAN LOUIS				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/576,329

Applicant(s)

PETERS, JOCHEN

Examiner

BRIAN L. ALBERTALLI

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-20 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

1. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3, 4, 7-12, 14-18, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Lewis et al. (U.S. Patent 6,611,802; based on publication of corresponding Application Publication 2002/00002459 on 3 January 2002).

In regard to claims 1, 11, and 18, Lewis et al. disclose a method, system, and computer program product for speech to text transformation comprising the steps of/means for:

performing a speech recognition step to provide a text (column 6, lines 9-23),
applying at least one rule to the text for performing at least one automatic text modification (text is checked for proofreading violations column 12, lines 8-23),
outputting the text on a user interface (marked errors are displayed and highlighted, column 13, lines 29-34),

outputting at least one suggestion for the automatic text modification on the user interface (a suggestion to correct the error is displayed, column 13, lines 34-50).

In regard to claim 3, Lewis et al. disclose portion of the text to which the at least one suggestion relates is highlighted in the text (Fig. 3G, the currently marked text is highlighted, column 10, lines 15-18 and lines 54-58), and the at least one text modification is performed in response to a user's acceptance of the suggestion (the user selects the accept modification button, column 10, lines 45-50).

In regard to claim 4, Lewis et al. disclose the at least one rule providing a confidence value for the at least one modification, wherein the suggestion is only outputted for a user's review when the confidence value is below a threshold (text is marked when it is below a set confidence threshold, column 8, lines 51-65).

In regard to claim 7, Lewis et al. disclose the text and the suggestions are outputted to a graphical user interface (see Fig. 3G, text 18 and suggestion 12).

In regard to claims 8 and 14, Lewis et al. disclose the at least one suggestion is displayed when the user enters a suggestion command (Fig. 3F, when show suggestion box 41 is selected, column 10, lines 41-53).

In regard to claim 9, Lewis et al. disclose the user's review comprises selecting one of the suggestions by entering a selection command (the user selects the accept modification button, column 10, lines 45-50) or manually entering a text modification (edit the mark directly, column 10, lines 19-22).

In regard to claims 10, 15, and 20, Lewis et al. disclose a first automatic text modification is performed according to at least one suggestion provided by a first rule, and further comprising applying of at least a second rule to the first text modification and outputting of at least a second suggestion for a second automatic text modification (when marks overlap a first suggestion is applied, e.g. fixing a run-on sentence, then a

second suggestion may be applied to the same text, e.g. correcting a low confidence word, column 10, line 60 to column 11, line 2).

In regard to claim 12, Lewis et al. disclose means for highlighting a text modification or a text portion to which relates at least one suggestion for a user's review (Fig. 3G, the currently marked text is highlighted, column 10, lines 15-18 and lines 54-58).

In regard to claim 16, Lewis et al. disclose a graphical user interface (Fig. 3G) for a speech to text transformation system having at least one rule for performing at least one automatic text modification (text is checked for proofreading violations column 12, lines 8-23) and having at least one suggestion for the automatic text modification (a suggestion to correct the error is displayed, column 13, lines 34-50), the graphical user interface comprising:

means for generating a display of the text (text displayed in window 111),

means for highlighting text and highlighting text portions to which the at least one suggestion relates (highlighted portion 18),

means for displaying the at least one suggestion for the automatic text modification (suggestion 12).

In regard to claim 17, Lewis et al. disclose means for entering a suggestion command by the user in order to initiate the display of the at least one suggestion (Fig. 3F, when show suggestion box 41 is selected, column 10, lines 41-53).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis et al., in view of Friedland (U.S. Patent 6,347,296).

Lewis et al. disclose at least one rule for performing automatic text modification where the rule identifies words with a low speech recognition confidence score, thus indicating the word may have been misrecognized (text is marked when it is below a set confidence threshold, column 8, lines 51-65).

However, Lewis et al. do not disclose the claimed improvement wherein at least one text modification is performed automatically and is highlighted in the text for a user's review.

Friedland discloses a method for text modification disclosing the claimed improvement wherein misrecognized words are automatically replaced (automatic text modification) and highlighted for a user's review (text identified to be corrected is

automatically replaced with an alternate word, column 6, lines 53-66; and highlighted, see Fig. 3B).

One of ordinary skill in the art at the time of invention would have recognized modifying Lewis et al. to automatically perform text modification and highlighting the modification for the user to review would have yielded a predictable result (i.e. automatically replacing and highlighting text in a document) and resulted in an improved method wherein the user would not have to manually approve every text modification.

6. Claims 5, 13, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis et al., in view of Pratley et al. (U.S. Patent 7,149,970).

Lewis et al. disclose at least one rule for performing automatic text modification where the rule identifies words with a low speech recognition confidence score, thus indicating the word may have been misrecognized (text is marked when it is below a set confidence threshold, column 8, lines 51-65).

However, Lewis et al. do not disclose the claimed improvement wherein suggestions are outputted for a user's selection when at least first and second conflicting suggestions for the text modification are provided.

Pratley et al. disclose a method for text modification disclosing the claimed improvement wherein suggestions are outputted for a user's selection when at least first and second conflicting suggestions for the text modification are provided (upon identification of text to be corrected, a plurality of suggestions for replacing the text are provided, see Fig. 3 and column 11, lines 16-28).

One of ordinary skill in the art at the time of invention would have recognized modifying Lewis et al. to output suggestions for a user's selection when at least first and second conflicting suggestions for the text modification are provided would have yielded a predictable result (i.e. providing the user a plurality of suggestions to choose from) and would have resulted in an improved method wherein the user could select a suggestion most appropriate to the user's intent.

Allowable Subject Matter

7. Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: Lewis et al., Friedland, and Pratley et al. do not disclose or suggest determining a number of edits required for the suggestion for the text modification and presenting the suggestion to the user when the number of edits exceeds a threshold value. One prior art reference of record (Razin et al., cited below as pertinent prior art) determines an "edit distance" (i.e. number of edits) to determine whether to suggest a text modification to a user. However, Razin et al. suggest a text modification when the edit distance is below a threshold (because this indicates the text modification is closest to the original text). Text modifications exceed the threshold value are considered too far from the original text to suggest to the user.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ovil et al. (U.S. Patent Application Publication 2004/0030540) disclose an automatic grammar modification system. Razin et al. (U.S. Patent 6,098,034) is cited for the reasons give above. Huang et al. (U.S. Patent 5,829,000) disclose a user interface for displaying text modifications. Young et al. (U.S. Patent 6,064,959) disclose a user interface for displaying text modifications. Thrasher et al. (U.S. Patent 7,162,423) disclose a user interface that displays multiple conflicting suggestions.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRIAN L. ALBERTALLI whose telephone number is (571)272-7616. The examiner can normally be reached on Mon - Fri, 8:00 AM - 5:30 PM, every second Fri off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on (571) 272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BLA 3/27/08

/David R Hudspeth/
Supervisory Patent Examiner, Art Unit 2626